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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PANGRATIUM MARITIMUM INC.,

Plaintiff,

v.

CPM CORPORATION LIMITED,

Defendant.
-----X

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**ATTORNEY'S DECLARATION
THAT DEFENDANT CANNOT
BE FOUND WITHIN IN THE
DISTRICT**

Pursuant to 28 U.S.C. § 1746, OWEN T. DUFFY, Esq., declares under the penalty of perjury:

1. I am a partner with the law firm of Chalos, O'Connor & Duffy, representing Plaintiff PANGRATIUM MARITIMUM INC. (hereinafter "PANGRATIUM"), in this case.
2. This declaration is executed by the attorney for the Plaintiff PANGRATIUM, in order to secure the issuance of a Summons and Process of Attachment and Garnishment in the above-entitled, *in personam*, Admiralty action.
3. I have personally inquired, or have directed inquiries, into the presence of Defendant CPM CORPORATION LIMITED (hereinafter "CPM") in this District.
4. I have personally checked with the office of the Secretary of State of the State of New York, using the Department of State, Division of Corporation's Corporation and Business

Entity Database and determined that, as of April 26, 2007, the defendant is not incorporated pursuant to the laws of New York, is not qualified to conduct business within the State of New York and has not nominated agents for the service of process within New York because the Division of Corporation has no records for the Defendant.

5. I have inquired of Verizon Telephone Company as to whether the Defendant is located within this District and confirmed that the Defendant does not have any telephone number listings within this District.

6. I have further consulted with telephone directories on the internet, and I have found no separate telephone listing or address for the Defendant within this District.

7. I have further made several searches on the internet with various search engines and maritime websites, and I have found no indication that the Defendant can be found within this District.

8. There are currently three actions pending in the United States District Court for the Southern District of New York where CPM Corporation Limited is a party. According to the docket sheets for these actions, CPM Corporation Limited has not appeared, answered, or otherwise moved in: China National Chartering Corp., Beijing v. CPM Corporation Limited, S.D.N.Y. Index No. 06CV8710(PKL) and Unithai Maritime Limited v. CPM Corporation, S.D.N.Y. Index No. 07CV3155(DC). CPM Corporation Limited is the plaintiff in CPM Corporation Limited v. Prominent Shipping PTE Ltd., and Austin Navigation Singapore PTE. Ltd. a/k/a Austin Navigation Inc., 07CV552(RWS), and states in the complaint that it is a foreign corporation with offices in Hong Kong, China. CPM Corporation Limited does not claim to be present within this District in any of these actions.

8. I have been able to determine that the Defendant is based in Hong Kong, China. I have found no indication that any of the Defendant can be found within this District. As such, I have formed a good faith belief that the Defendant does not have sufficient contacts or business activities within this District to defeat a maritime attachment under Rule B.


9. It is my belief that, based upon my own investigation, the Defendant cannot be found within this District for the purposes of Rule B of the Supplemental Rules of Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Port Washington, New York
April 26, 2007

CHALOS, O'CONNOR & DUFFY, LLP
Attorneys for Plaintiff

By:



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